

**ASSEMBLY BILL**

**No. 319**

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**Introduced by Assembly Member Mark Stone**

February 6, 2017

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An act to add Chapter 6.3 (commencing with Section 42380) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as introduced, Mark Stone. Recycling: single-use plastic beverage container caps.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires every rigid plastic packaging container, as defined, sold or offered for sale in this state, to generally meet one of specified criteria.

This bill would prohibit a retailer, on and after January 1, 2020, from selling or offering for sale a single-use plastic beverage container with a cap that is not tethered to or contiguously affixed to the beverage container. The bill would define terms for purposes of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Chapter 6.3 (commencing with Section 42380)
- 2 is added to Part 3 of Division 30 of the Public Resources Code, to
- 3 read:

## CHAPTER 6.3. PLASTIC BEVERAGE CONTAINER CAPS

42380. For the purposes of this chapter, the following definitions shall apply:

(a) “Beverage” has the same meaning as in Section 14504.

(b) “Retailer” means a person who sells a beverage in a beverage container to a consumer.

(c) “Single use” means intended for disposal after one use and used for serving or transporting a prepared, ready-to-consume product.

(d) “Beverage container” means an individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which one liter or less of a beverage is sold, and that is constructed of plastic. “Beverage container” does not include a cup or other similar open or loosely sealed receptacle.

42381. On and after January 1, 2020, a retailer shall not sell or offer for sale, in the state, a single-use beverage container with a cap, unless the container meets one of the following conditions:

(a) The cap is tethered to the container in a manner that prevents the separation of the cap from the container when the cap is removed from the container.

(b) The cap includes an opening from which the beverage can be consumed while the cap is screwed onto or otherwise contiguously affixed to the container.